

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

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MICHAEL RAY PROFITT,

2:20-cv-01209-MK

Plaintiff,

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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Order Awarding Attorney's Fees  
pursuant to the Equal Access to Justice Act,  
28 U.S.C. § 2412(d)

Before the Court is the Motion of Plaintiff, Michael Ray Profitt, for award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Based on the pleadings as well as the position of the defendant commissioner, if any, and recognizing Plaintiff's waiver of direct payment and assignment of EAJA to his counsel,

**IT IS HEREBY ORDERED** that attorney fees and expenses in the total amount of Six Thousand Five Hundred Seventy-Three Dollars and Thirty-Two Cents (\$6,573.32) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) are awarded to Plaintiff. *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010).

The Court hereby awards EAJA fees, broken down as follows:

1. Plaintiff is awarded 2.9 hours in 2020 for \$207.78 per hour, 23.1 hours in 2021 for \$217.54 per hour, and 0.9 hours in the first half of 2022 for \$231.49 in the amount of \$5,836.07 for attorney's fees under 28 U.S.C. § 2412(d);

2. Plaintiff is awarded 7.2 hours at \$100.00 per hour in the amount of \$720.00 for Paralegal Services.

3. Plaintiff is awarded \$17.25 in expenses for Certified Mail for service of Summons and Complaint.

If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees, expenses, and costs are not subject to offset allowed under the Department of the Treasury's Offset Program (TOPS), then the check for EAJA fees, expenses, and costs shall be made payable to Plaintiff's attorney, Edward A. Wicklund. Any costs may be paid either by electronic fund

transfer (EFT) or by check.

Whether the check is made payable to Plaintiff or to Edward A. Wicklund, the check shall be mailed to Edward A. Wicklund at the following address:

250 South Clinton Street  
Suite 210  
Syracuse, NY 13202

So ordered.

Date: 8/9/2022

s/ Mustafa T. Kasubhai  
MUSTAFA T. KASUBHAI (He / Him)  
United States Magistrate Judge